

In re application of: SeakinsSerial No.: 09/808,567Filed: March 14, 2001For: **BREATHING ASSISTANCE APPARATUS**

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Lyomy E. Sexton
TIDAL E. Sexton

Transmitted herewith is a Response to the Office Action dated June 15, 2004 for the above-identified application.

The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amendment		Highest No. Previously Paid for	Present Extra
TOTAL	* 44	MINUS	** 63	0
INDEP.	* 11	MINUS	** 11	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
Rate	Addit. Fee
x 9 =	\$.00
x 43 =	\$.00
+ 145 =	\$.00
TOTAL	
ADDIT. FEE	\$.00

OR

OTHER THAN A SMALL ENTITY	
Rate	Addit. Fee
x 18 =	\$.00
x 86 =	\$.00
+ 290 =	\$.00
TOTAL	
	\$.00

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 20-1495 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
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- ☒ Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17

Dated: September 15, 2004

Raiford A. Blackstone
Raiford A. Blackstone, Reg. 25,156
Linda L. Palomar, Reg. No. 37,903
Attorney of Record



09-16-04

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT

Serial No.: 09/808,567)
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Applicants: SEAKINS, SMITH and)
THUDOR)
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Filed: March 14, 2001)
)
For: BREATHING ASSISTANCE)
APPARATUS)
)
Examiner: G. DAWSON)
)
Art Unit: 3761)
)
Attorney Docket No.:)
1171/39258/92)

Certificate of Mailing by "Express Mail"	
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Date of Deposit:	September 15, 2004
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Tiffany B. Sexton	

RESPONSE TO THE OFFICE ACTION DATED JUNE 15, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action dated June 15, 2004 and further to the Amendment submitted on March 17, 2004.

Claims 1-5, 7-16, 33, 36-44 and 48-59 have been examined in this application.
Claims 45-47 are withdrawn.

As previously advised, claim 33 was amended to include all of the limitations of previously canceled claim 17 and to remove some of the "means" language. In addition, as previously advised, claims 36-38, 41, 43 and 44 were amended to include all of the limitations found in previously canceled claim 34 and to modify some of the "means" language. Applicants submitted that this did not effect the allowability of the claims. In the